

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

426-2016

LETTER TO COMMISSION

To: Mayor Philip Levine and Members of the City Commission

From: Jimmy L. Morales, City Manager

Date: October 13, 2016

Subject: Report on emergency purchases and unauthorized purchases

EMERGENCY PURCHASES. Miami Beach City Code Section 2-396 provides for the City Manager to waive the requirements for competitive bidding for emergency purchases as defined in the Code. Pursuant to this provision, emergency purchases exceeding \$50,000.00 are to be reported to the City Commission at its meeting following the emergency. The emergency purchase request process outlined in Code allows the City to respond expeditiously to unexpected needs. The Emergency Purchase Request form for each emergency reported is attached.

Emergency Purchases

Form No.	Nature of Emergency	Requestor	Contractor	Value
2016-220	Chiller repair and connections at City Hall	Emergency Management	HB Hoffman, LLC	\$ 160,000

UNAUTHORIZED PURCHASES. Miami Beach City Code Section 2-393(a) prohibits the purchase of goods or services unauthorized by the Procurement Division (typically through the issuance of a Purchase Order with stated purchase authority prior to the receipt of goods or services). In its due diligence, the Department of Procurement Management (DPM) has identified those purchases that have been transacted in violation of the stated Code requirement. In those cases, the DPM has required documentation and justification be provided to the City Manager, through the Unauthorized Purchase form, who may then, pursuant to Code, consider and authorize the purchase. Unauthorized purchases exceeding \$50,000 are reported to the City Commission at its meeting following the approval of the Unauthorized Purchase form.

Unauthorized Purchases

Form No.	Nature of Unauthorized Purchase	Requestor	Contractor	Value
Nothing To Report				


JLM/MT/AD/ME/AG

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Emergency Purchase Authorization Request

No.: 2016 - 220 - MT

Contact Information

Date: September 9, 2016	Requestor: JORGE GUANCHEZ
Location of Emergency: 1700 Convention Center Drive-City Hall	Requesting Department: PROPERTY MANAGEMENT
Required Goods/Services: Repair of Chiller and connections at City Hall	Contact No.: 786-620-6978

Nature of Emergency

Describe Type (threat to public's life, health, welfare or significant loss of property) and Details of Emergency (Attach additional detail, if necessary, and all available documentation justifying emergency declaration.):

The chilled water mechanical system that services the City Hall chillers is presently connected to and supplied by the chilled water system at the convention center plant. Due to the ongoing renovation project at the Convention Center, in approximately 90 days, Clark Construction will be demolishing the chiller plant at the convention center to commence work on that phase of the project. Unless the City Hall chillers are renovated immediately to operate without the support of the convention center plant, City Hall will be left without air conditioning.

The cost of the necessary upgrades is approximately \$200,000. Normally, an expenditure of this amount would require competitive bidding. However, due to the short time frame and the gravity of the situation, the division is requesting a declaration of emergency so that this matter can be addressed immediately rather than delay the repairs because of the time to complete a competitive bid.

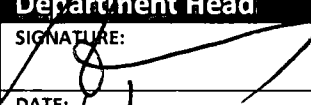

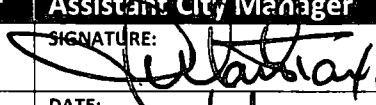

Vendor(s) Information

Proposed Vendor (attach detail if multiple vendors): HB Hoffman, LLC	Estimated Cost (if known): \$160,000.00
Describe How & Why Recommended Vendor(s) Selected: This contractor is currently under contract with the city to replace all HVAC units at City Hall. Using this contractor, who is already familiar with the system and the needs of City Hall, will allow for a smooth transition to this project.	

City Code Sec. 2-396. - Emergency Purchases:

(a) **City Manager.** In case of an apparent emergency requiring immediate purchase of supplies or contractual service, the city manager shall be empowered to authorize the procurement director to secure by open market procedure at the lowest obtainable price, any supplies or contractual services not exceeding \$25,000.00. The city manager has the authority to act in the case of an emergency that might affect the health, safety and welfare of the city. Such action shall be reported at the next regular meeting of the city commission when supplies or services exceed \$25,000.00.

(b) **Head of Department.** In case of actual emergency, and with the prior consent of the procurement director, and the prior approval of the city manager, the head of any using agency may purchase directly any supplies whose immediate procurement is essential to prevent delays in the work of the using agency that may vitally affect the life, health or convenience of citizens. The head of such using agency shall send to the procurement director a requisition and a copy of the delivery record, together with a full written report of the circumstances of the emergency.

Department Head	Procurement Director	Assistant City Manager	City Manager
SIGNATURE: 	SIGNATURE: 	SIGNATURE: 	SIGNATURE: 
DATE: 9/9/16	DATE: 9/9/16	DATE: 9/9/16	DATE: 9/12/16